

AN ACT
D.C. ACT 23-451

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 2, 2020

To amend the District of Columbia Administrative Procedure Act to provide that the Mayor shall provide 10 days' notice when proposing to install, modify, or amend a statement for guiding, directing, or otherwise regulating vehicular or pedestrian traffic, if the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan; to amend the Priority Sidewalk Assurance Act of 2010 to require the Mayor to install sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, to make crosswalks high-visibility crosswalks, and to make conforming amendments; to amend the Department of Transportation Establishment Act of 2002 to provide that the District Department of Transportation ("DDOT") shall not construct certain capital projects over \$1 million without publishing a report on its website describing how the project relates to Vision Zero or other District goals, to provide that DDOT shall not issue a public space permit for certain projects over \$1 million unless the plans include appropriate installations for new sidewalks or high-visibility crosswalks for unmarked crosswalks where appropriate and the applicant has met the requirements of previous permits and restored crosswalks to be high-visibility and bike lanes to their pre-construction condition or as a protected bike lane, to require DDOT to maintain a webpage that makes all data collected pursuant to the Bicycle and Pedestrian Safety Amendment Act of 2016 publicly available and easily searchable, and to provide that each day a bike lane is not restored to its pre-construction condition or each day a crosswalk is not restored after construction to the condition called for in the Standard Specifications used by DDOT shall be a Class 1 infraction; to amend the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to add the Director of the Department of Public Works to the Bicycle Advisory Council, and to require DDOT to construct a protected bike lane or cycle track on a road segment where called for in the District of Columbia's Multimodal Long-Range Transportation Plan when DDOT is otherwise engaged in road reconstruction on that road segment; to amend the Distracted Driving Safety Act of 2004 to prohibit drivers from using headphones or earbuds that cover both ears while operating a motor vehicle, and to eliminate the

provision that bars points from being assessed for a violation of the Distracted Driving Safety Act of 2004 when the violation does not contribute to an accident; to amend the Bicycle and Pedestrian Safety Amendment Act of 2016 to require DDOT to publish requests for all-way or signalized stops at intersections and, if the request is denied, to explain the agency's reasoning as to why it denied the request, to require DDOT to submit to the Council a Vision Zero infrastructure progress report on the District's top 15 most dangerous corridors for pedestrians and cyclists including how proposed projects in those corridors increase safety, increase equitable access to public transportation, contribute to reaching the mode share goals in the Multimodal Long-Range Transportation Plan, and decrease the speed of motor vehicles in the corridor, to require that DDOT adopt an updated Complete Streets Policy, to require DDOT to update the Council on the progress of implementing the Complete Streets policy every 4 years, to require DDOT to update the Multimodal Long-Range Transportation Plan and then update the plan every 5 years, to require DDOT to post an incident report on its website within 60 days after a collision that causes a death or serious injury describing planned design changes to the site, and to add the Director of the Department of Motor Vehicles to the Major Crash Review Task Force; to amend the District of Columbia Traffic Act, 1925 to require applicants to convert an out-of-state license to take an examination of the applicant's knowledge of certain traffic rules and regulations, to require DDOT, in coordination with other agencies, to conduct a public outreach campaign on Vision Zero; to prohibit right turns when facing a red traffic control signal in intersections within 400 feet of a school, recreation center, library, playground, Metrorail station entrance, or with a bike lane running through it, unless DDOT publishes an explanation as to why the prohibition would not increase safety, to reduce the speed limit on District roads classified by DDOT as local or collector to 20 miles per hour, and to provide for the revocation of a person's license and vehicle registration if the person fails to enroll in the Ignition Interlock Program when required; to amend the Fiscal Year 1997 Budget Support Act of 1996 to require the Mayor to send warnings to drivers caught going 8 or more miles per hour over the speed limit by an automated traffic enforcement camera when the Mayor does not issue a summons and notice of infraction; to amend the Safety-Based Traffic Enforcement Amendment Act of 2012 to require the Mayor to have at least 75 operating red light cameras by January 1, 2022, at least 10 operating bus lane enforcement cameras in the District by January 1, 2022, at least 30 operating stop sign cameras by January 1, 2024, and at least 125 operating red light cameras January 1, 2024; to amend the District of Columbia Traffic Adjudication Act of 1978 to permit the Mayor to establish reciprocal agreements with states and other jurisdictions that provide for the suspension of vehicle registrations or driver's licenses that accrue more than a certain amount of traffic fines in the District, to require the Mayor to enter into

negotiations with Virginia and Maryland to establish such reciprocal agreements, and to require the Mayor to submit a report to the Council on the progress or result of the required negotiations; to amend the Commercial Curbside Loading Zone Implementation Act of 2009 to require DDOT to issue rules to ensure certain new developments have appropriate loading and unloading zones; and to amend Title 18 of the District of Columbia Municipal Regulations to require bicycles in the District to have a light on the rear, and to prohibit trailers from parking alongside an unprotected bike lane.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vision Zero Enhancement Omnibus Amendment Act of 2020".

Sec. 2. The District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq.*), is amended as follows:

(a) Section 102(6)(B)(iv) (D.C. Official Code § 2-502(6)(B)(iv)) is amended by striking the phrase "30-days written notice via electronic delivery, excluding Saturdays, Sundays and legal holidays" and inserting the phrase "30 days' written notice, or 10 days' written notice if the District Department of Transportation has published brief reasoning on its website describing how the proposed installation, modification, or removal will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan, via electronic delivery, excluding Saturdays, Sundays and legal holidays" in its place.

(b) Section 301(e)(2)(D) (D.C. Official Code § 2-551(5)(B)(iv)) is amended by striking the phrase "30-days written notice, via electronic delivery, excluding Saturdays, Sundays and legal holidays" and inserting the phrase "30 days' written notice, or 10 days' written notice if the District Department of Transportation has published brief reasoning on its website describing how the proposed installation, modification, or removal will increase safety at a location identified as a high risk intersection or corridor in the Multimodal Long-Range Transportation Plan, via electronic delivery, excluding Saturdays, Sundays and legal holidays" in its place.

Sec. 3. The Priority Sidewalk Assurance Act of 2010, effective September 24, 2010 (D.C. Law 18-227; D.C. Official Code § 9-425.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 9-425.01) is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a)(1) For road segments that lack sidewalks on both sides of the street, road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement shall include installation of a sidewalk on the side of the street that lacks a sidewalk.

"(2) When installing a new sidewalk pursuant to this subsection, the new sidewalk shall connect to an existing sidewalk if there is an existing sidewalk within 0.1 miles from the road segment where the construction of the new sidewalk is taking place, on either end, and is on

the same side of the street as the new sidewalk.”.

(2) The lead-in language of subsection (b) is amended by striking the phrase “major construction” and inserting the phrase “road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement” in its place.

(b) A new section 2a is added to read as follows:

“Sec. 2a. Crosswalk installation requirements.

“For a road segment that has a crosswalk that is not marked, road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement shall include installation of a high-visibility, marked crosswalk that complies with the Manual on Uniform Traffic Control Devices, unless DDOT has published a brief reasoning on its website describing why installing a high-visibility, marked crosswalk would reduce pedestrian safety.”.

(c) Section 3 (D.C. Official Code § 9-425.02) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) The lead-in language is amended by striking the phrase “new sidewalks.” and inserting the phrase “new sidewalks or crosswalks.” in its place.

(B) Paragraph (1) is amended by striking the phrase “new sidewalk” and inserting the phrase “new sidewalk or crosswalk” in its place.

(C) Paragraph (2) is amended by striking the phrase “the proposed sidewalk” both times it appears and inserting the phrase “the proposed sidewalk or crosswalk” in its place.

(2) Subsection (f) is amended to read as follows:

“(f) For the purposes of this act, the term:

“(1) “Affected parties” means residents with property abutting the road segment under consideration.

“(2) “Crosswalk” shall have the same meaning as provided in 18 DCMR § 9901.1.”.

Sec. 4. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

(a) Section 5(a) (D.C. Official Code § 50-921.04(a)) is amended as follows:

(1) A new paragraph (2A) is added to read as follows:

“(2A) The Project Delivery Administration shall not construct a capital project described in paragraph (1)(D) of this subsection if the cost of work that is done in the public space is greater than \$1 million and the project will require any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement, unless DDOT has published a report on its website describing how the capital project:

“(A) Implements a project or recommendation listed in the Multimodal Long-Range Transportation Plan (“Transportation Plan”);

“(B) Increases safety for users of modes of transportation other than motor vehicles, as that term is defined in section 8 of An Act To provide for the annual inspection of all

motor vehicles in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-1108);

“(C) Increases equitable access to public transportation by furthering the Transportation Plan’s goal of 50% of all commuter trips by public transportation by 2032, including a description of whether the capital project improves equitable access to public transportation in an area identified as a transit priority need area in the Transportation Plan;

“(D) Fulfills a public safety goal of the District; or

“(E) Is required by law or as a condition of a federal grant.”.

(2) A new paragraph (3A) is added to read as follows:

“(3A) The Operations Administration shall not issue a public space permit described in paragraph (3)(E) of this subsection if the work that is done in the public space has an aggregate cost greater than \$1 million and the project will require any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement, unless:

“(A) The applicant’s project plan includes:

“(i) If the project is on a road segment that lacks a sidewalk on the side of the street where the project for which a permit is requested will occur, a requirement that the applicant install a new sidewalk on that block that connects to an existing sidewalk if there is an existing sidewalk within 0.1 miles of the new sidewalk, on either end, that is on the same side of the street as the new sidewalk;

“(ii) If the project is on a road segment that includes a crosswalk, as that term is defined in 18 DCMR § 9901.1, that is not a marked, high-visibility crosswalk, a requirement that the applicant make the crosswalk a marked, high-visibility crosswalk, unless DDOT determines that installing a high-visibility, marked crosswalk would reduce pedestrian safety;

“(iii) If any crosswalks are removed during the project, a requirement that the applicant replace the crosswalk with a high-visibility, marked crosswalk, unless DDOT determines that installing a high-visibility, marked crosswalk would reduce pedestrian safety;

“(iv) If a bicycle lane is removed during the project, a requirement that the applicant replace the bicycle lane to its pre-construction condition, and, after September 30, 2021, if more than 50 feet of a bicycle lane is removed during the project, replace that block of the bicycle lane with a protected bicycle lane or a cycle track when called for in DDOT’s Multimodal Long-Range Transportation Plan; and

“(v) A requirement that the applicant submit photographs and any other materials as required by DDOT evidencing the applicant’s compliance with the requirements of this subparagraph.

“(B) DDOT certifies that, for any past project that required any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement for which the applicant received a public space permit described in paragraph (3)(E) of this subsection after the applicability date of section 4 of the Vision Zero Omnibus Enhancement

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Amendment Act of 2020, passed on 2nd reading on September 22, 2020 (Enrolled version of Bill 23-288), the applicant has complied with all requirements of past project plans, as required by subparagraph (A) of this paragraph.”.

(3) Paragraph (5) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Subparagraph (B) is amended by striking the period and inserting a semicolon in its place.

(C) New subparagraphs (C) and (D) are added to read as follows:

“(C) Maintain a webpage that makes publicly available and easily searchable:

“(i) All data the Mayor is required to collect pursuant to sections 101 through 107 of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code §§ 50-1951.01 through 50-1951.07); and

“(ii) Data in the Department of Health’s annual Trauma Registry Report that is anonymized as to specific individuals.

“(D) Develop and maintain a tutorial maintained on the webpage required by subparagraph (C) of this paragraph describing how to access the data published on the webpage required by subparagraph (C) of this paragraph.”.

(b) Section 9k (D.C. Official Code § 50-921.19) is amended by adding a new subsection (g) to read as follows:

“(g)(1) Failure to comply with the requirements described in section 5(a)(3A)(A)(iii) or (iv) shall be a Class 1 infraction under Chapter 32 of Title 16 of the District of Columbia Municipal Regulations.

“(2) For a violation described in paragraph (1) of this subsection, beginning on the first full day that is at least 48 hours after the completion of a project for which DDOT has issued a permit pursuant to section 5(a)(3)(E), the Director shall issue a unique notice of infraction each calendar day until the applicant cures the violation. For the purposes of a notice of infraction issued pursuant to this paragraph, evidence of a violation described in paragraph (1) of this subsection on any date shall create a rebuttable presumption that the same violation occurred on every prior day beginning on the first full day that is at least 48 hours after the completion of the project.

“(3) Nothing in this subsection shall be construed to limit the Director’s authority to set and enforce fines for other infractions.”.

Sec. 5. The District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1601 *et seq.*), is amended as follows:

(a) Section 5(b)(1) (D.C. Official Code § 50-1604(b)(1)) is amended as follows:

(1) The lead-in language is amended by striking the number “17” and inserting

the number "18" in its place.

(2) A new subparagraph (C-i) is added to read as follows:

"(C-i) The Director of the Department of Public Works or his or her designee;".

(b) New sections 9a and 9b are added to read as follows:

"Sec. 9a. Protected bicycle lane installation requirements.

"(a) Except as provided in subsection (d) of this section, beginning September 30, 2021, for road segments that were included in the Recommended Bicycle Network in the Multimodal Long-Range Transportation Plan as described in section 302(b) of the Bicycle and Pedestrian Safety Amendment Act of 2016, passed on 2nd reading on September 22, 2020 (Enrolled version of Bill 23-288), DDOT shall construct a protected bicycle lane or cycle track on that road segment when DDOT engages in any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement on that road segment. To the greatest extent feasible, DDOT shall make efforts to ensure the protected bicycle lanes and cycle tracks constructed are contiguous with other bicycle lanes and cycle tracks that are already completed.

"(b) Except as provided in subsection (d) of this section, beginning September 30, 2021, DDOT shall construct a transit lane or multimodal priority street on a street designated in the Multimodal Long-Range Transportation Plan as described in section 302(a)(3) of the Bicycle and Pedestrian Safety Amendment Act of 2016, passed on 2nd reading on September 22, 2020 (Enrolled version of Bill 23-288), when DDOT engages in any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement on that street.

"(c)(1) At least 30 days before construction begins on a protected bicycle lane, cycle track, transit lane, or multimodal priority street, the Mayor shall provide notice to affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of the affected Wards. At a minimum, this notice shall include:

"(A) A statement of intent to construct a new protected bicycle lane, cycle track, transit lane, or multimodal priority street, including the proposed design;

"(B) A statement describing a 30-day period for public comment on the proposed protected bicycle lane, cycle track, transit lane, or multimodal priority street, and how affected parties can comment on the proposed protected bicycle lane, cycle track, transit lane, or multimodal priority street, including a statement on how Advisory Neighborhood Commissions can submit resolutions on the potential impact of the proposed protected bicycle lane, cycle track, transit lane, or multimodal priority street; and

"(C) A construction schedule.

"(2) The Mayor shall maintain for public review comments from affected parties received pursuant to paragraph (1)(B) of this subsection and responses thereto.

"(3) A resolution of an affected Advisory Neighborhood Commission shall be given great weight, as described in section 13(d)(3)(A) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10(d)(3)(A)).

“(d)(1) The requirements of this section shall not apply if the Director of DDOT determines, in writing, that it is impractical or unnecessary to install a protected bicycle lane, cycle track, transit lane, or multimodal priority street, because:

“(A) The physical site conditions would make it unduly expensive to construct the protected bicycle lane, cycle track, transit lane, or multimodal priority street; or

“(B) The District would be required to acquire an easement or property interest to establish the protected bicycle lane, cycle track, transit lane, or multimodal priority street.

“(2) The written determination required by paragraph (1) of this subsection shall be posted on the DDOT website.

“(e) DDOT shall not forgo meeting the goals of DDOT’s Paving Plan in order to avoid the requirements of the section.

“(f) For the purposes of this section, the term:

“(1) “Affected parties” means residents with property abutting the road segment on which the road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement will occur.

“(2) “Cycle track” means an exclusive bike facility that is a separate path from the street and apart from on-street infrastructure.

“(3) “Multimodal priority street” means a street fully or partially closed to traffic by motor vehicles.

“(4) “Protected bicycle lane” means a lane designated as exclusive space for bicyclists with pavement markings and signage, and includes physical barriers that separate the user from adjacent motor vehicle traffic.

“(5) “Reconstruction” means any construction work done that requires designing a new layout of the road, but shall not include repaving by itself.

“(6) “Transit lane” means:

“(A) A vehicle travel lane for use exclusively by public transportation; or

“(B) A dedicated transitway.

“Sec. 9b. Proper bicycle equipment enforcement restrictions.

“A law enforcement officer, as identified in section 3003 of Title 18 of the District of Columbia Municipal Regulations, shall not stop an individual for a violation, or a perceived violation, of the bicycle safety equipment requirements under section 1204 of Title 18 of the District of Columbia Municipal Regulations.”.

Sec. 6. The Distracted Driving Safety Act of 2004, effective March 30, 2004 (D.C. Law 15-124; D.C. Official Code § 50-1731.01 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 50-1731.04) is amended as follows:

(1) The lead-in language of subsection (b) is amended by striking the phrase “this section” and inserting the phrase “subsection (a) of this section” in its place.

(2) A new subsection (c) is added to read as follows:

“(c) No person shall use headphones that cover both ears or earbuds in both ears while operating a motor vehicle in the District, except if the headphones or earbuds are being used to assist a hearing-impaired driver.”.

(b) Section 6(b) (D.C. Official Code § 50-1731.06(b)) is amended by striking the phrase “; provided, that no points shall be assessed for a violation of this act that does not contribute to an accident.” and inserting a period in its place.

Sec. 7. The Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-1951.01 *et seq.*), is amended as follows:

(a) Section 102(a) (D.C. Official Code § 50-1951.02(a)) is amended as follows:

(1) Paragraph (6)(C) is amended by striking the period and inserting a semicolon in its place.

(2) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (8) is added to read as follows:

“(8) The speed of any motor vehicle involved in the collision, if known.”.

(b) Section 103(a) (D.C. Official Code § 50-1951.03(a)) is amended as follows:

(1) Paragraph (6) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (8) is added to read as follows:

“(8) The speed of the motor vehicle that committed the moving infraction, if known.”.

(c) Section 105 (D.C. Official Code § 50-1951.05) is amended as follows:

(1) The section heading is amended by striking the phrase “calming measures” and inserting the phrase “calming measures and all-way stop or signalized intersections” in its place.

(2) A new subsection (a-1) is added to read as follows:

“(a-1) DDOT shall publish on its website, at least once per month, the following information related to citizen petitions, submitted to DDOT in the preceding 3 months and for which information has not already been published pursuant to this subsection, to convert an intersection of local, collector, or minor arterial streets to an all-way stop or signalized intersection:

“(1) The location of the intersection;

“(2) The date that the citizen petition was submitted to DDOT;

“(3) The change or modification requested under the citizen petition; and

“(4) For a request to convert an intersection to a signalized intersection, DDOT’s reasoning as to why it approved or denied the request for that particular intersection; or

“(5) For a request to convert an intersection to an all-way stop;

“(A) If the request is approved, an estimated timeline for the conversion;
or

“(B) If the request is denied, a brief description of why approving the request would decrease pedestrian safety.”.

(3) Subsection (b) is amended by striking the phrase “calming measures” and inserting the phrase “calming measures and all-way or signalized stops” in its place.

(d) Section 106 (D.C. Official Code § 50-1951.06) is amended to read as follows:

“Sec. 106. Annual report on the most dangerous corridors for pedestrians and cyclists.

“Within 10 days of the date the Mayor submits the annual proposed budget to the Council, DDOT shall submit to the Council a Vision Zero infrastructure progress report that includes:

“(1) A list of the top 15 most dangerous corridors in the District for pedestrians and cyclists, as identified by DDOT;

“(2) For each corridor listed pursuant to paragraph (1) of this section, a description of projects for which funding is included in the Mayor’s proposed budget that would:

“(A) Reduce fatalities and serious injuries in that corridor;

“(B) Increase equitable access to public transportation in that corridor;

“(C) Contribute to reaching the mode share goals in the Multimodal Long-Range Transportation Plan; and

“(D) Decrease the speed of motor vehicles in the corridor.

“(3) For each project described in paragraph (2) of this section, a description of and the expected delivery date for the project.

“(4) For each project described in paragraph (2) of this section that is not projected to be completed within 2 years after the submission of the Vision Zero infrastructure progress report, a description of measures that will be implemented during the next fiscal year in furtherance of the goals described in paragraph (2) of this section.”.

(e) Title III (D.C. Official Code § 50-2381 *et seq.*) is amended as follows:

(1) The title heading is amended by striking the phrase “policy” and inserting the phrase “policy and Multimodal Long-Range Transportation Plan” in its place.

(2) Section 301 (D.C. Official Code § 50-2381) is amended as follows:

(A) A new subsection (b-1) is added to read as follows:

“(b-1) In addition to the goals set out in subsection (b) of this section, by September 30, 2021, the Complete Streets policy shall include:

“(1) A recognition of the need to create a comprehensive, integrated, and connected network for all modes of transportation;

“(2) Recommendations for the use of the latest and best design criteria and guidelines;

“(3) A recognition that there must be sensitivity to the current and planned context of where projects will go, including buildings, land use, transportation, and community needs;

- “(4) Performance standards with measurable outcomes; and
- “(5) Specific next steps for implementing the policy as described.”.

(B) Subsection (d) is amended to read as follows:

“(d) By September 30, 2022, and every 4 years thereafter, DDOT shall report to the Council on DDOT’s progress towards implementing the Complete Streets policy during the previous 4 fiscal years, as well as plans for further implementation of the Complete Streets policy during the upcoming 4 fiscal years. These reports shall incorporate performance measures established by DDOT to determine how well streets are serving all users and identify barriers to implementing the Complete Streets policy.”.

(3) New sections 302 and 303 are added to read as follows:

“Sec. 302. Multimodal Long-Range Transportation Plan.

“(a) By September 30, 2021, and every 5 years thereafter, the Mayor shall submit to Council a Multimodal Long-Range Transportation Plan that includes:

“(1) A plan to ensure that by 2032, 50% of all commuter trips in the District are on public transportation and an additional 25% of commuter trips in all wards are by a mode of transportation other than motor vehicle;

“(2) A plan to ensure equitable access to public transportation in the District, including a list of transit priority need areas that DDOT has identified as having a higher than average reliance on public transportation;

“(3) A list of streets on which, or Metrobus or DC Circulator lines for which, DDOT plans to designate a vehicle travel lane for use exclusively by public transportation or as a multimodal priority street. The list shall include at least one street for use exclusively by public transportation in, or Metrobus or DC Circulator line that serves, each ward; and

“(4) A list of high-risk intersections and corridors DDOT has identified as having an above average number of crashes leading to a death or serious injury in the previous 2 years, or that DDOT certifies as being at high risk of a crash that could lead to death or serious injury in the future.

“(b) For the purposes of this section, the term “public transportation” means any publicly owned or operated commercial vehicle, including DC Circulator, DC Streetcar, MetroAccess, Metrobus, or Metrorail.

“Sec. 303. Incident report required.

“Within 30 days after a collision, as that term is defined in section 2(3) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(3)), that causes a death or an injury likely to result in death, the District Department of Transportation (“DDOT”) shall inspect the site of the collision. Within 30 days after the inspection, DDOT shall publish on its website an incident report describing:

“(1) Interim design elements that, after the collision, DDOT has installed at the site of the collision, if any;

“(2) Permanent or interim design elements that DDOT plans to install at the site of the collision, if any;

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“(3) Whether the site of the collision is within one of the high-risk corridors identified by DDOT in the Multimodal Long-Range Transportation Plan; and

“(4) A detailed explanation as to why no interim or permanent design changes are warranted, should DDOT determine that no changes are warranted.”.

(f) Section 802(a) (D.C. Official Code § 50-1831(a)) is amended as follows:

(1) Paragraph (5) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (6) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (7) is added to read as follows:

“(7) The Director of the Department of Motor Vehicles, or the Director’s designee.”.

Sec. 8. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 7(a)(1) (D.C. Official Code § 50-1401.01(a)(1)) is amended as follows:

(1) Subparagraph (B)(i) is amended by striking the phrase “in the District” and inserting the phrase “, including giving bicyclists 3 feet of space, employing the Dutch reach method to open a car door, and yielding to bicyclists when turning” in its place.

(2) A new subparagraph (B-i) is added to read as follows:

“(B-i)(i) For the purposes of subparagraph (B) of this paragraph, the term “Dutch reach method” means using the hand furthest from a car door handle to open the car door and, at the same time, looking over one’s shoulder to ensure the door may be opened safely.

“(ii) The examination required by subparagraph (B)(i) of this paragraph shall be required for all persons who are converting an out-of-state license who have not taken the exam within the past 5 years. The requirement of this sub-subparagraph shall not be waived for any reason, except that holders of a commercial driver license shall not be required to take the exam. A person converting an out-of-state license may take the examination required by this sub-subparagraph as many times as needed to pass.”.

(b) A new section 7d is added to read as follows:

“Sec. 7d. Public outreach program.

“(a) Within one year after the applicability date of section 8 of the Vision Zero Omnibus Enhancement Act of 2020, passed on 2nd reading on September 22, 2020 (Enrolled version of Bill 23-288), the District Department of Transportation (“DDOT”), in conjunction with the Metropolitan Police Department, the Department of Motor Vehicles, the Department of Public Works, and the Washington Area Bicyclist Association, shall establish a public outreach campaign (“campaign”) that:

“(1) Emphasizes zero-tolerance for automobile-bicycle related injuries and fatalities;

“(2) Includes information about traffic safety, sharing the road, and the danger

that opening motor vehicle doors poses to bicyclists; and

“(3) Includes education forums in each ward, aimed at educating the public and raising awareness related to automobile-bicycle related injuries and fatalities.

“(b) In establishing the campaign, DDOT shall seek the input of community organizations, nonprofit organizations, and advocacy groups whose work relates to automobile-bicycle related injuries and fatalities.”.

(c) Section 9(a) (D.C. Official Code § 50-2201.04(a)) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

“(2) The speed limit on a street classified by the District Department of Transportation as local or collector shall be 20 miles per hour or less.”.

(d) A new section 9e is added to read as follows:

“Sec. 9e. Traffic control at intersections.

“(a) Except as provided in subsection (b) of this section, DDOT shall erect signage prohibiting right turns when facing a red traffic control signal at an intersection that:

“(1) Is within 400 feet of a playground;

“(2) Is within 400 feet of an elementary or middle school or a high school;

“(3) Has a bike lane running through it;

“(4) Is within 400 feet of a recreation center;

“(5) Is within 400 feet of a library; or

“(6) Is within 400 feet of a Metrorail station entrance.

“(b) DDOT may elect not to erect signage prohibiting right turns when facing a red traffic control signal at an intersection as required by subsection (a) of this section if it publishes an explanation on its website as to why such signage would not contribute to safety at that particular intersection.”.

(e) Section 10a (D.C. Official Code § 50-2201.05a) is amended by adding a new subsection (b-2) to read as follows:

“(b-2) If a person fails to enroll in the Program within 30 days after notification by the Department of Motor Vehicles of the requirement that the person enroll in the Program, the person’s license, permit, or privilege to drive in the District shall be revoked and the person’s vehicle registration, if any, shall be suspended, until the person enters the Program. The period of time the person is required to enroll in the Program may be extended, pursuant to regulations, for failure to comply with the requirements of the Program.”.

Sec. 9. Section 902 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02), is amended as follows:

(a) Subsection (b) is amended by striking the phrase “When a violation is detected by an automated traffic enforcement system” and inserting the phrase “When a violation is detected by an automated traffic enforcement system and the Mayor enforces the violation” in its place.

(b) A new subsection (b-1) is added to read as follows:

“(b-1) When a speeding violation is detected by an automated traffic enforcement system in an amount of 8 miles per hour or more over the applicable speed limit and the Mayor does not enforce the violation, the Mayor shall mail a warning to the name and address of the registered owner of the vehicle on file with the Department of Motor Vehicles or the appropriate state motor vehicle agency, except that the Mayor need only issue one warning per calendar year to each registered owner for each location of detection. The warning shall include the date, time, and location of the violation, the type of violation detected, the license plate number, and state of issuance of the vehicle detected, a copy of the photo or digitized image of the violation, and wording stating that the Mayor retains the right to enforce any future speeding violations detected.”.

Sec. 10. Section 103 of the Safety-Based Traffic Enforcement Amendment Act of 2012, effective May 1, 2013 (D.C. Law 19-307; D.C. Official Code § 50-2209.11), is amended as follows:

(a) The existing text is designated as subsection (a).

(b) A new subsection (b) is added to read as follows:

“(b)(1) By January 1, 2022, the Mayor shall have operating at least:

“(A) 75 red light automated enforcement cameras; and

“(B) 10 bus lane automated enforcement cameras.

“(2) By January 1, 2024, the Mayor shall have operating at least:

“(A) 30 stop sign automated enforcement cameras; and

“(B) 125 red light automated enforcement cameras.”.

Sec. 11. Title I of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), is amended by adding a new section 112 to read as follows:

“Sec. 112. Reciprocity for non-moving and ATE fines.

“(a)(1) The Mayor may establish reciprocal agreements with states or other jurisdictions that provide for the suspension of vehicle registrations or driver’s licenses for vehicles registered in that state or jurisdiction that accrue more than an amount, to be determined in negotiations with the states or other jurisdictions, of non-moving violation fines and automated traffic enforcement fines in the District.

“(2) The Mayor may permit a percentage of the money recovered from the payment of citations and fines due to suspended vehicle registrations or driver’s licenses be paid to the state or jurisdiction in which the vehicle is registered or the driver is licensed as payment for the state or jurisdiction’s cooperation in the reciprocal agreement.

“(b)(1) The Mayor shall enter into negotiations with Virginia and Maryland to establish reciprocal agreements as described in subsection (a) of this section.

“(2) The Mayor shall transmit a report to the Council by September 30, 2021, which describes the results or progress of the negotiations required by this subsection, the

contents of any reciprocal agreement agreed upon, and the expected financial gain or loss resulting from any reciprocal agreement agreed upon.”.

Sec. 12. The Commercial Curbside Loading Zone Implementation Act of 2009, effective October 22, 2009 (D.C. Law 18-66; D.C. Official Code § 50-2651 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2651) is amended by adding a new subsection (a-1) to read as follows:

“(a-1) To ensure that residential developments have adequate commercial and passenger vehicle loading and unloading zones to eliminate the need for illegal parking by commercial vehicles, the program rules shall establish a process by which the owner of a building with 50 or more residential units shall submit to the District Department of Transportation for approval plans to reduce or prevent congestion caused by:

“(1) Loading vehicles; and

“(2) Private vehicles-for-hire and public vehicles for-hire, as those terms are defined in section 4(16A) and (17) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1986, (D.C. Law 6-97; D.C. Official Code § 50-301.03(16A) and (17)).”.

(b) Section 3(a) (D.C. Official Code § 50-2652(a)) is amended by striking the phrase “Within 120 days of the effective date of this act, the” and inserting the word “The” in its place.

Sec. 13. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 1204 is amended as follows:

(1) Subsection 1204.2 is amended by striking the phrase “with a red reflector on the rear which shall be visible from all distances from fifty feet (50 ft.) to three hundred feet (300 ft.) to the rear when directly in front of upper beams of head lamps on a motor vehicle.” and inserting the phrase “with a lamp on the rear which shall emit a steady or flashing red light visible from a distance of at least five hundred feet (500 ft.) to the rear.” in its place.

(2) Subsection 1204.3 is repealed.

(b) The lead-in language of section 2405.5 is amended to read as follows:

“2405.5 The following may not be parked on any public thoroughfare alongside a bike lane that does not have a barrier between the bike lane and the road, or in front of, alongside, or in the rear of any private dwelling or apartment, house of worship, school, playground, or hospital, except while engaged in work at such place for which the vehicle is reasonably necessary.”.

Sec. 14. Applicability.

(a) Sections 3, 4, 5(b), 7(a), 7(b), 7(c), 7(d), 7(e), 8, 9, 10, and 12 of this act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

ENROLLED ORIGINAL

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council for certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the provisions identified in subsection (a) of this section.


Sec. 15. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 16. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
November 2, 2020



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, DC, 20004

Docket No. **B23-0288**☐ ITEM ON CONSENT CALENDAR☒ ACTION

First Reading

☒ VOTE DATE

July 21, 2020

☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☒ ROLL CALL VOTE – Result

Passed

| Council Member | Aye | Nay | NV | AB | Rec | Council Member | Aye | Nay | NV | AB | Rec | Council Member | Aye | Nay | NV | AB | Rec |
|--------------------|-----|-----|----|----|-------------|----------------|-----|-----|----|--------------------------|-----|----------------|-----|-----|---------------|----|-----|
| Chairman Mendelson | X | | | | | Grosso | X | | | | | Silverman | X | | | | |
| Allen | X | | | | | McDuffie | X | | | | | T. White | X | | | | |
| Bonds | X | | | | | Nadeau | X | | | | | Todd | X | | | | |
| Cheh | X | | | | | Pinto | X | | | | | | | | | | |
| Gray | X | | | | | R. White | X | | | | | | | | | | |
| X - Indicate Vote | | | | | AB – Absent | | | | | NV - Present, Not Voting | | | | | Rec - Recused | | |

CERTIFICATION RECORD

Secretary to the Council

10.5.20

Date

Docket No. **B23-0288**☒ ITEM ON CONSENT CALENDAR☒ ACTION

Final Reading, CC

☒ VOTE DATE

September 22, 2020

☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☒ ROLL CALL VOTE – Result

Passed

| Council Member | Aye | Nay | NV | AB | Rec | Council Member | Aye | Nay | NV | AB | Rec | Council Member | Aye | Nay | NV | AB | Rec |
|--------------------|-----|-----|----|----|-------------|----------------|-----|-----|----|--------------------------|-----|----------------|-----|-----|---------------|----|-----|
| Chairman Mendelson | X | | | | | Grosso | X | | | | | Silverman | X | | | | |
| Allen | X | | | | | McDuffie | X | | | | | T. White | X | | | | |
| Bonds | X | | | | | Nadeau | X | | | | | Todd | X | | | | |
| Cheh | X | | | | | Pinto | X | | | | | | | | | | |
| Gray | X | | | | | R. White | X | | | | | | | | | | |
| X - Indicate Vote | | | | | AB – Absent | | | | | NV - Present, Not Voting | | | | | Rec - Recused | | |

CERTIFICATION RECORD

Secretary to the Council

10.5.20

Date